

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

FREDERICK BANKS, #05711-068

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:07-cv-117-DCB-MTP

CONSTANCE REESE

DEFENDANT

ORDER

BEFORE THE COURT is Plaintiff's motion to vacate order [23] filed December 26, 2007. Plaintiff is asking the Court to vacate it's order [22] denying Plaintiff's motion for reconsideration entered on December 13, 2007. Having considered the issues raised in the motion and the Court record, the Court finds that the motion is not well-taken and should be denied. Plaintiff has failed to offer any evidence or arguments that were not initially available to him at the time his complaint and motion for reconsideration [21] were filed. Plaintiff's motion to vacate order [23] merely expresses disagreement with the ruling of the Court. It is hereby,

ORDERED that Plaintiff's motion to vacate order [23] is **denied**.

SO ORDERED this the 23rd day of January, 2008.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE